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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,484	05/24/2001	Ronald S. Cok	82831THC	2988

7590 06/24/2005

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EXAMINER	
SHAPIRO, LEONID	

ART UNIT	PAPER NUMBER
2677	

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/864,484	Ronald S. Cok	
	Examiner	Art Unit	
	Leonid Shapiro	2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 March 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,5-11 and 15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 5-11, 15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1, 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murakami et al. (US Patent No. 6, 559,834 B1) in view Wolk et al. (US Patent No. 6,485,884 B2) and Sahouani et al. (US Patent No. 6,574,044 B1).

As to claim 1, Murakami et al. teaches a touch screen (See Fig. 1, item 100) for use with LCD display (See Fig. 1, items 100, 130, 140, Col.3, Lines 57-61), comprising:

a) a substrate having a top and bottom side (See Fig. 1, items 100, 130, 140, Col.3, Lines 57-61), the LCD display being located on the bottom side of the substrate (See Fig. 3, items 200-204, Col. 6, Lines 4-11);

b) a plurality of touch screen elements located on the top side of substrate (See Fig. 3, items 101-104, 111, Col. 5, Lines 33-45);

c) a polarizing element for reducing glare and improving contrast of the LCD display (See Fig. 3, items 102-103, Col. 1, Lines 27-25 and Col. 5, Lines 33-37).

Murakami et al. does not show OLED display.

Wolk et al. teaches OLED display (See Fig. 1a, items 100, 110, 120, Col. 8, Lines 48-53).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate teaching of Wolk et al. into the Murakami et al. system in order

to enable the fabrication and manufacture of patterned organic electronic device (See Col. 1, Lines 28-34 in the Wolk et al. reference).

Murakami et al. and Wolk et al. do not show the polarizing element is an integral part of substrate.

Sahouani et al. teaches the polarizing element is an integral part of substrate (see Col. 9, Lines 10-20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate teaching of Sahouani et al. into Wolk et al. and the Murakami et al. system in order to block substantially all visible light (See Col. 1, Lines 50-54 in the Sahouani et al. reference).

As to claim 5, Wolk et al. teaches the OLED display is a top emitting display (See Fig. 1b, items 150, 152a, 152b, Col. 9, Lines 43-58) and substrate of the touch screen also serves as a cover sheet on the top emitting display (See Fig. 1a, items 130, Col. 9, Lines 15-20).

As to claim 6, Wolk et al. teaches the OLED display is a bottom emitting display having a substrate on which are deposited organic light emitting elements that emit light through the substrate of the display (See Fig. 1a, items 120,110, Col. 8, Lines 48-50) and substrate of the display also serves as the substrate of the touch screen (See Fig. 1a, items 120, 130).

2. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wolk et al., Sahouani et al. and Murakami et al. as applied to claim 1 above, and further in view of Goldan et al. (US Patent No. 6,483, 498 B1).

Wolk et al., Sahouani et al. and Murakami et al. do not show the touch screen is a resistive wire touch screen.

Goldan et al. teaches the touch screen is a resistive wire touch screen (See Col. 4, Lines 30-34).

It would have been obvious to one of ordinary skill in the art at the time of the invention use the touch screen is a resistive wire touch screen as shown by Goldan et al. in the Wolk et al., Sahouani et al. and Murakami et al. apparatus.

3. Claims 8-9, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolk et al., Sahouani et al. and Murakami et al. as applied to claim 1 above, and further in view of Quist et al. (US 2002/0044065 A1).

Wolk et al., Sahouani et al. and Murakami et al. do not show a four-wire, a five-wire or a capacitive touch screen.

Quist et al. teaches a four-wire, a five-wire or a capacitive touch screen (See Figs. 5-6, item 26, Col. 6, paragraph 00046).

It would have been obvious to one of ordinary skill in the art at the time of the invention use a four-wire, a five-wire or a capacitive touch screen as shown by Quist et al. in the Wolk et al., Sahouani et al. and Murakami et al. apparatus.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wolk et al., Sahouani et al. and Murakami et al. as applied to claim 1 above, and further in view of Duwaer (US Patent No. 5, 402,151).

Wolk et al., Sahouani et al. and Murakami et al. do not show a surface acoustic touch screen.

Duwaer teaches a surface acoustic touch screen (See Fig. 1, items 10,16,18,20,22,24, Col. 6, Lines 18-37).

It would have been obvious to one of ordinary skill in the art at the time of the invention use a surface acoustic touch screen as shown by Duwaer in the Wolk et al., Sahouani et al. and Murakami et al. apparatus.

5. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wolk et al., Sahouani et al. and Murakami et al. as applied to claim 1 above, and further in view of Albro et al. (US Patent No. 6, 403, 223 B1).

Wolk et al., Sahouani et al. and Murakami et al. do not show a circular polarizer as polarizing element.

Albro et al. teaches a circular polarizer as polarizing element (See Fig. 2b, items 128,20, Col. 10, Lines 24-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention use a circular polarizer as polarizing element screen as shown by Albro et al. in the Wolk et al., Sahouani et al. and Murakami et al. apparatus.

Response to Arguments

6. Applicant's arguments filed on 03.22.05 have been fully considered but they are not persuasive.

On page 3, last paragraph of Remarks Applicant's admitted that Sahouani et al. disclose that polarizing element is an integral part of the substrate, but stated that Sahouani et al. does not disclose that substrate is not employed with a display device. However, Sahouani et al. disclosed that polarizer is used with display device (See Col. 1, Lines 5-6).

On page 4, 1st paragraph of Remarks Applicant's stated that that display must be OLED display and need to be located on the bottom of the touch screen substrate. However, Applicant's cannot show non-obviousness by attacking references individually where, as here the rejections are based on combination of references. In re Keller, 208 USPQ 871 (CCPA 1981).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Telephone inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LS
06.04.05

VIJAY SHANKAR
PRIMARY EXAMINER